

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIO SANDOVAL,

Plaintiff,

v.

RALPH DIAZ, et al.,

Defendants.

1:20-cv-001374-NONE-EPG (PC)

ORDER DENYING PLAINTIFF'S
MOTION TO STAY PROCEEDINGS AND
TIME LIMITATIONS

(ECF No. 7)

ORDER GRANTING EXTENSION OF
TIME TO FILE CONSENT/DECLINE
FORM

(ECF No. 8)

Plaintiff, Julio Sandoval, is a state inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff's motion to stay proceedings and time limitations (ECF No. 7) and motion for stay of proceedings, which the Court construes as a request for a 30 day extension of time to file the consent/decline form (ECF No. 8).

As to the motion to stay proceedings and time limitations (ECF No. 7), Plaintiff states that he will need an additional 90 days added to any deadline set in this case. He contends that this additional time is needed because mail is backed up at his institution of confinement, and there have been emergency lockdowns and limitations on access to the law library, copies, and other things as a result of the COVID-19 pandemic. He explains that these lockdowns and limitations negatively impact his ability to respond, format forms, or attain paper forms and copies.

The Court is aware of the additional restrictions that have been put into place at various institutions of confinement as a result of the COVID-19 pandemic and has made allowances for

1 those restrictions in setting deadlines in cases involving inmates. The Court will keep those
2 restrictions in mind in setting deadlines in this case as well but declines to grant an additional 90
3 days for all deadlines. Plaintiff must be diligent in complying with any deadlines imposed by the
4 Court and, if additional time is needed, Plaintiff may request additional time by filing a motion in
5 which he explains why he needs additional time to comply with the particular deadline at issue.
6 Moreover, the Court has not yet screened Plaintiff's complaint and thus, other than the deadline to
7 submit the consent/decline form, discussed below, Plaintiff is not currently under any deadline.
8 Plaintiff's motion to stay proceedings and time limitations will thus be denied.

9 As to Plaintiff's motion for additional time to file the consent/decline form (ECF No. 8),
10 Plaintiff states that he received the form on October 6, 2020, and that the form is dated September
11 30, 2020. He asks for an additional 30 days to return the form. The Court will grant the request.

12 IT IS ORDERED:

- 13 1. Plaintiff's motion to stay proceedings and time limitations (ECF No. 7) is DENIED; and
- 14 2. Plaintiff's motion to stay proceedings, construed as a motion for an extension of time to
15 file the consent/decline form (ECF No. 8) is GRANTED. Plaintiff shall file the
16 consent/decline form no later than November 16, 2020.

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18 IT IS SO ORDERED.

19 Dated: October 15, 2020

/s/ Eric P. Grogan
20 UNITED STATES MAGISTRATE JUDGE
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